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Date: January 16, 2004

Docket No.: 0757-0282P

*ADMITTED TO A BAR OTHER THAN VA.

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☒ continuation ☐ divisional ☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of pending prior Application No. 10/321,666 filed on December 18, 2002, the entire contents of which are hereby incorporated by reference, by Hiroyuki TODA; Naomi FUJISAWA; Masaru FUKUDA for

CARRIER-PHASE-BASED RELATIVE POSITION DEVICE

1. ☒ Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).

- 9b. ☐ Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____ Application No. _____ filed in _____ on _____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.
10. ☒ An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
11. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

or
Customer No. 02292
12. ☐ An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 10/321,666 in order to establish co-pendency with the present application.
13. ☐ Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

for  #44,346
Michael K. Mutter, #29,680

HNS
MKM/HNS/jeb
0757-0282P

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Attachment(s)

2. ☒ The filing fee has been calculated as follows:

	BASIC FEE		LARGE ENTITY	SMALL ENTITY
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	16-20 =	0	x 18 = \$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	2-3 =	0	x 86 = \$0.00	x 43 = \$0.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
	TOTAL		\$1,060.00	\$0.00

3. ☒ A check in the amount of \$1,060.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☒ Enclosed is/are four (4) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. 10/321,666 on _____. See the attached copy of the statement claiming small entity status.
- 6b. ☐ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to Furuno Electric Company Limited.
8. ☒ A Preliminary Amendment is enclosed.
- 9a. ☒ Priority of Application No(s). 2001-386162 filed in Japan on December 19, 2001 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on December 18, 2002.

